

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SYDNEY WATSON,

Plaintiff,

v.

BLAZE MEDIA LLC,

Defendant.

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CIVIL ACTION NO. 3:23-cv-00279-B

DEFENDANT’S RESPONSE TO THE COURT’S ORDER TO SHOW CAUSE

Defendant Blaze Media LLC (“Defendant”) hereby files this response to the Court’s Order to Show Cause. *See* Dkt. 16. On August 3, 2023, the Court signed its Order denying Defendant’s Motion to Dismiss or in the Alternative to Stay Proceedings and Compel Arbitration and ordered Defendant to file an answer or otherwise respond to Plaintiff Sydney Watson’s (“Plaintiff”) Complaint. *See* Dkt. 15. However, Defendant did not receive notice of the Court’s Order until August 4, 2023. *See* Declaration of C. Yeager and Copy of Notice of Electronic Filing, attached hereto as Exhibit 1.

Defendant’s counsel in good faith believed the fourteen (14) day deadline to answer or otherwise respond was calculated from the date of entry of the Court’s Order, which was August 4, 2023; therefore, Defendant calculated the deadline to file an Answer as August 18, 2023.¹ Therefore, Defendant’s failure to respond by August 17, 2023, was not made for purposes of delay or to prejudice Plaintiff but was an inadvertent error based on counsel’s calculation of the deadline from the date of entry of the Order, August 4, 2023, rather than the date of signing of same, August

¹ *See Ross v. Global Marine*, 859 F.2d 336, 337 (5th Cir. 1988) (“Repeatedly, we have held that the time for appealing a judgment is measured from the date of entry, or docketing, not the date of signing by the judge or the date of filing.”).

3, 2023.

As of the date and time of this response, Defendant has filed its Answer to Plaintiff's Complaint on August 18, 2023. *See* Dkt. 17.

Dated: August 18, 2023

Respectfully submitted,

/s/ Celeste R. Yeager

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**ATTORNEYS FOR DEFENDANT
BLAZE MEDIA LLC**

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2023, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the following individuals who have consented in writing to accept this Notice as service of this document by electronic means:

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/s/ Celeste R. Yeager

Celeste R. Yeager

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SYDNEY WATSON,

Plaintiff,

vs.

BLAZE MEDIA LLC,

Defendant.

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CIVIL ACTION NO. 3:23-CV-002790-B

**DECLARATION OF CELESTE YEAGER IN SUPPORT OF DEFENDANT’S
RESPONSE TO THE COURT’S ORDER TO SHOW CAUSE**

I, Celeste Yeager, declare as follows:

1. I am an attorney admitted to practice in the Northern District of Texas and the courts of the State of Texas. I am a shareholder at the law firm of Littler Mendelson, P.C. and counsel of record for Defendant Blaze Media LLC in this matter.

2. I have personal knowledge of the facts set forth herein.

3. Attached hereto is a true and correct copy of the Notice of Electronic filing of the Court’s Order denying Defendant’s Motion to Dismiss or in the Alternative to Stay Proceedings and Compel Arbitration (“Order”) received on August 4, 2023.

4. I did not receive notice of and was unaware of the Court’s Order until August 4, 2023.

5. I calculated the fourteen (14) day deadline to answer or to otherwise respond to Plaintiff’s Complaint from the date of entry of the Court’s Order, August 4, 2023, rather than the date of the Court’s signing of same, August 3, 2023.

6. Therefore, I calculated Defendant’s deadline to answer as August 18, 2023.

7. My error was inadvertent and not meant for the purpose of delay or prejudice.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: August 18, 2023



Celeste Yeager

From: ecf_txnd@txnd.uscourts.gov
Sent: Friday, August 4, 2023 10:49 AM
To: Courtmail@txnd.uscourts.gov
Subject: Activity in Case 3:23-cv-00279-B Watson v. Blaze Media LLC Memorandum Opinion and Order

[EXTERNAL E-MAIL]

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U.S. District Court

Northern District of Texas

Notice of Electronic Filing

The following transaction was entered on 8/4/2023 at 10:48 AM CDT and filed on 8/3/2023

Case Name: Watson v. Blaze Media LLC

Case Number: [3:23-cv-00279-B](#)

Filer:

Document Number: [15](#)

Docket Text:

MEMORANDUM OPINION AND ORDER: [8] MOTION to Dismiss or in the Alternative to Stay Proceedings and Compel Arbitration filed by Blaze Media LLC is Denied. Blaze must file an answer or otherwise respond to Watsons Complaint (Doc. [1]) within FOURTEEN (14) DAYS of this Order. (Ordered by Judge Jane J Boyle on 8/3/2023) (svc)

3:23-cv-00279-B Notice has been electronically mailed to:

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3:23-cv-00279-B Notice required by federal rule will be delivered by other means (as detailed in the Clerk's records for orders/judgments) to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1004035775 [Date=8/4/2023] [FileNumber=14947070-0
] [4caedd00bdfbe2da1ae09794f9d0b7952d58e7a9e609fd2b5096b69d065aec856a0
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